

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America

v.

Yuendry Rodriguez Hilario
Saleh Yusuf Saleh

Case No.

8:23MJ1215SPF

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Unknown to March 2, 2023 in the county of Pinellas and elsewhere in the
Middle District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. §§ 371, 922(a)(1)(A), 922
(a)(5), 924(c), 924(h), 924(o); 26
U.S.C. §§ 5861(d), (e)

Offense Description

Conspiracy; Unlicensed firearms dealer; Illegal transfer of
firearms; Possession of firearm in furtherance of drug trafficking;
Transfer of firearm to commit a felony and/or drug trafficking
crime

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me over the telephone and
signed by me pursuant to Fed. R. Crim. P. 4.1 and 41 (d)(3).

Date: 3/3/2023

City and state: Tampa, FL


Complainant's signature

Special Agent Brett McKean, ATF

Printed name and title


Judge's signature

SEAN P. FLYNN, UNITED STATES MAGISTRATE

Printed name and title

**AFFIDAVIT IN SUPPORT OF APPLICATION
FOR CRIMINAL COMPLAINTS**

I, Brett McKean, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since February 2019. I have conducted investigations concerning violations of Titles 18, 21 and 26. Through these investigations, I have become familiar with the means and methods firearms traffickers use to communicate, export and import firearms and firearms parts and accessories, facilitate illegal firearms purchases, sales and straw purchases and facilitate the illegal transfer of firearms domestically and internationally.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and law enforcement sources and reports. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter. The word "agent" is used in this affidavit to denote federal agents, deputized task force officers, and other state and local law enforcement officers.

3. I submit this affidavit to establish that there is probable cause to issue a federal criminal complaint and arrest warrants for Yuendry RODRIGUEZ HILARIO and Saleh Yusuf SALEH based on violations of 18 U.S.C. §§ 371 (conspiracy), 922(a)(1)(A) (unlicensed firearms dealer), 922(a)(5) (illegal transfer of

firearms), 924(c) (possession of firearm in furtherance of drug trafficking); 924(h) (transfer of firearm to commit a felony and/or drug trafficking crime), 924(o) (conspiracy); and 26 U.S.C. §§ 5861(d), (e) (“the Target Offenses”).

PROBABLE CAUSE

Overview of Investigation

4. This is an investigation on the illegal trafficking of firearms in the United States to transnational criminal organizations. Undercover agents, posing as Mexican cartel members, have met with targets in this case purporting to be buying weapons to send back to cartel members in Mexico. In my training and experience, Mexican cartels are transnational criminal organizations that are the primary importers of fentanyl, methamphetamine, heroin, and cocaine into the United States. Through these meetings, law enforcement has successfully purchased approximately sixty firearms that were purported to be used to arm cartel members in Mexico. Included among these purchases was one firearm which, in my training and experience, is defined as a “machine gun” under federal law. The investigation has also resulted in the purchase of one firearm silencer. Additional controlled conversations between undercover agents and traffickers have included the offer of trafficking amounts of controlled substances to the agents as well as destructive devices such as rocket-propelled grenades (RPGs).

5. Beginning in or around August 2021, ATF has been involved in a firearms trafficking investigation with the Drug Enforcement Administration (DEA) and Federal Bureau of Investigation (FBI). In the summer of 2021, ATF agents

received information that a Dominican Republic national later, identified herein as “Coconspirator 1,” was involved in the facilitation of illegal firearm sales between the United States and the Dominican Republic. DEA provided a phone number that Coconspirator 1 utilized, which ultimately resulted in an introduction to Yuendry RODRIGUEZ HILARIO. SALEH was identified as the supplier of firearms used in sales to undercover agents. Neither RODRIGUEZ HILARIO nor SALEH are licensed firearms dealers and do not appear in national firearms transfer records or registrations.

6. Unless otherwise stated, all conversations described below were in Spanish and translated by a Spanish-speaking agent. Calls and meetings were recorded and dates/times of telephonic communications were confirmed through call records. During the course of the investigation, a sale of firearms occurred in the Middle District of Florida in furtherance of the conspiracy. In addition, the proceeds of a sale of firearms were deposited in the Middle District of Florida into a coconspirator’s bank account and undercover calls and text messages were transmitted from the Middle District of Florida.

Undercover Communications with “Coconspirator 1”

7. In September 2021, an ATF undercover agent (UC) established contact with “Coconspirator 1” by text and voice.¹ During a recorded call on or about

¹ There are three undercover agents used in this case; however, for purposes of this affidavit the same UC is involved in all of the controlled communications and will be referred to as “UC” throughout. The other undercover agents are referred to as “UC2” and “UC3.”

September 7, 2021, Coconspirator 1 and the UC discussed the UC potentially purchasing firearms. In summary, Coconspirator 1 told the UC his sources of supply for firearms were located in Pennsylvania and Ohio, he mainly sold AR-type rifles, and that quantities were not an issue. Coconspirator 1 also said he was able to provide AK-47-type rifles. The UC and Coconspirator 1 agreed to meet in Cleveland, Ohio.

8. On or about September 11, 2021, the UC received a text message from Coconspirator 1. During these text messages, Coconspirator 1 provided a phone number to the UC and identified the number as his "WhatsApp." On or about September 12, 2021, the UC messaged Coconspirator 1. Through WhatsApp messages and voice memos from the same, the UC arranged to travel to Cleveland, Ohio to purchase nine rifles from Coconspirator 1 on September 21, 2021. During these contacts, Coconspirator 1 sent the UC several pictures of various AR-15 style rifles, examples of which are depicted below.



Images 1-4: Rifles sent via Coconspirator 1

New York Search Warrant

9. In early 2022, ATF was notified of a potential related ATF investigation in New York. According to the police report in that investigation, “Individual 1” was arrested for possession of several “Polymer 80” brand lower receivers, as well as several other privately made firearm. A receiver is part of the frame of a firearm that provides the housing for the internal firearm components. The lower receiver typically includes the grip, trigger, hammer, and magazine slot. Polymer 80 is a brand name but also commonly referenced to describe a receiver that is only 80% “complete” and made with a polymer-type material. This would require additional manufacturing to legally meet the definition of a firearm under federal law.

10. Pursuant to a search warrant of Individual 1’s cellphone, analysis revealed he was in contact with Coconspirator 1. According to recovered messages that occurred between approximately August 2021 and October 2021, Individual 1 was purchasing ammunition in the United States and sending the ammunition to the Dominican Republic at the direction of Coconspirator 1. The identity of Coconspirator 1 was corroborated through a subpoena of an associated email account. Individual 1 was charged by federal indictment and arrested for Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition; Money Laundering; Conspiracy to Commit or Defraud the United States; and False Statements.

**Undercover Communications/Meeting with Yuendry RODRIGUEZ HILARIO:
September-October 2021**

11. On or about September 21, 2021, Coconspirator 1 directed the UC to an address ("Location 1") in Cleveland, Ohio to meet with "family." Shortly thereafter, the UC arrived at Location 1 and was greeted on the porch of the residence by a subject subsequently identified as Yuendry RODRIGUEZ HILARIO. The UC observed that RODRIGUEZ HILARIO was engaged in a video call with Coconspirator 1. RODRIGUEZ HILARIO and the UC entered the residence and RODRIGUEZ HILARIO provided the UC with his phone for the purpose of speaking to Coconspirator 1 directly. Coconspirator 1 identified RODRIGUEZ HILARIO as his "blood brother" and told the UC he could deal with him (RODRIGUEZ HILARIO) directly. During the video call, Coconspirator 1 displayed an AR-15 style rifle and explained to the UC that the rifle was an example of what he was attempting to obtain for the UC.

12. After the video call ended, the UC engaged in price negotiations directly with RODRIGUEZ HILARIO. Based on these negotiations, Yuendry RODRIGUEZ HILARIO offered the UC firearms at the following prices: \$3,000 per AR-15; \$3,000 per M-4; \$2,500-\$2,700 per .40 mm; and \$4,500 per AK-47. The UC and RODRIGUEZ HILARIO agreed to the sale of nine rifles for \$13,500, with discounts if the UC ordered larger quantities in the future. RODRIGUEZ HILARIO instructed UC to contact him directly for future transactions.

13. On or about September 24, 2021, the UC received several photo messages of various AR-15-type firearms from Coconspirator 1 and on or about September 26, 2021, a message from Coconspirator 1 stating they were ready (to conduct the firearms transaction). On or about September 28, 2021, the UC placed a recorded call to Coconspirator 1. Through multiple contacts between the UC and Coconspirator 1 from October 5-7, 2021, the UC and Coconspirator 1 agreed to conduct the firearms transaction in the Middle District of Florida on or about October 21, 2021.

14. On or about October 12, 2021, the UC placed a recorded call to Coconspirator 1 to inquire about the purchase of a “tubo,” which is slang for a rocket propelled grenade (RPG) launcher. Coconspirator 1 confirmed he knew where to obtain a “tubo” and would attempt to acquire one to send to Florida with the firearms. Coconspirator 1 also represented that he had “work” in Texas he was interested in selling. Based on my training, experience, and knowledge of the investigation, I believe that “work” in this context was in reference to kilograms of cocaine.

15. On or about October 14, 2021, Coconspirator 1 represented to the UC that he sold AR-15s and AK-47s to El Salvadorans, and that he was looking into the sale of RPGs for the UC to purchase.

Undercover Purchase of Firearms in October 2021

16. On or about October 21, 2021, the UC spoke with Coconspirator 1. During that communication, the UC provided Coconspirator 1 with an address in

Saint Petersburg, in the Middle District of Florida, where the UC could meet with Coconspirator 1's associate. At approximately 12:54 PM, the UC received a three-way WhatsApp call from Coconspirator 1 and a phone number which was later identified as being associated with Coconspirator 2.

17. At approximately 3:02 PM, the UC contacted Coconspirator 2 to coordinate their meeting. At approximately 3:15 PM, surveillance units and the UC observed a grey Toyota Rav 4 bearing South Carolina license plate UGT482 pull into the driveway of the meet location. The UC and a second agent (UC2) greeted Coconspirator 2 outside the residence. Coconspirator 2 introduced himself and retrieved a large box and plastic bag from the rear hatch of the vehicle. Coconspirator 2 handed the items to the UCs and entered the residence with the UCs. Coconspirator 2 told the UCs he had traveled from Ohio and that Coconspirator 1 sent him.

18. The UC opened the box and removed ten rifles from inside (nine .223/5.56 caliber rifles and one 9-mm rifle). Multiple ammunition magazines were also removed from the box and the plastic bag. A still photograph from the purchase is depicted below.



Image 5: Firearms from the October 21, 2021 Sale

19. At approximately 3:23 PM, the UC received a WhatsApp video call from Coconspirator 1. The UC showed Coconspirator 1 the firearms to confirm they had been received. Coconspirator 1 instructed the UC to pay Coconspirator 2. The UC subsequently provided Coconspirator 2 with \$16,000 in operational funds.

20. Coconspirator 2 left the area at approximately 3:29 PM. Agents followed him and at approximately 4:03 PM he entered the drive-through of the PNC Bank located at 2498 Gulf to Bay Blvd., Saint Petersburg, Florida. The vehicle exited the drive-through at approximately 4:11 PM.

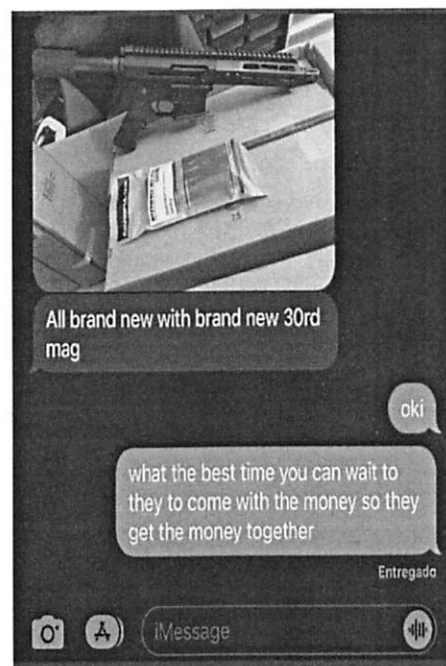
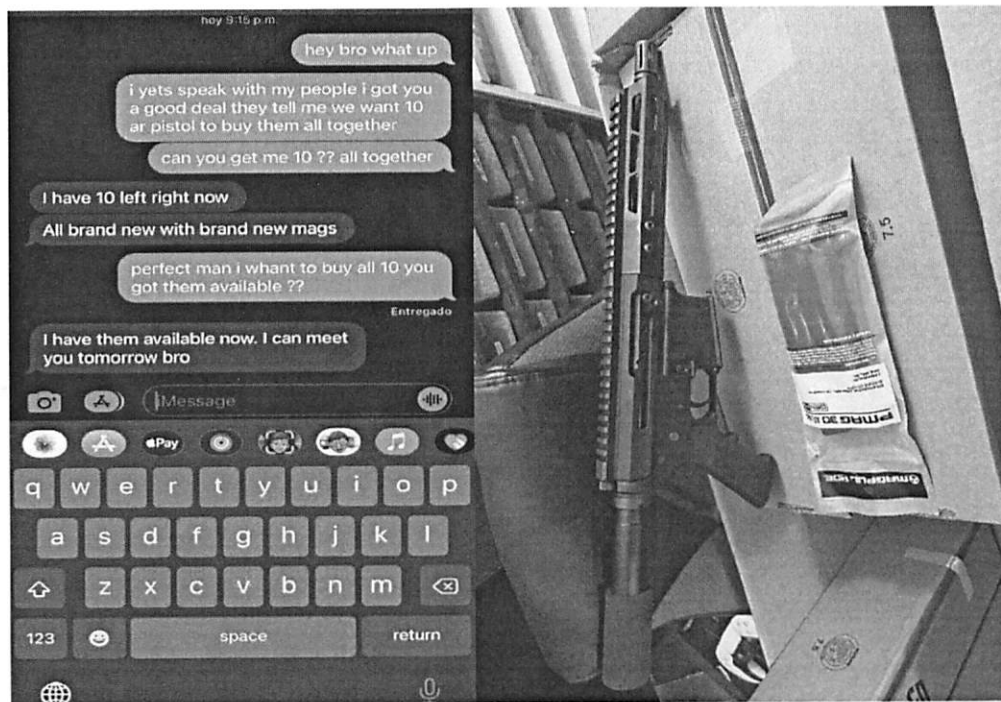
21. Bank records revealed that Coconspirator 2 made ATM cash deposits totaling \$9,000 into the PNC bank account of Coconspirator 3. According to subpoenaed bank records, Coconspirator 3 is the only signatory on the account.

Negotiations for Additional Firearms: January-March 2022

22. On or about January 4, 2022, the UC spoke with RODRIGUEZ HILARIO. The UC told RODRIGUEZ HILARIO that he and his associates needed more “piezas” (“pieces”/firearms), and that he wanted to discuss the “tubos” (RPGs). RODRIGUEZ HILARIO asked the UC how many he needed, and the UC stated that he needed ten firearms and one RPG. RODRIGUEZ HILARIO communicated that he could supply the UC with anything the UC wanted. The two agreed to meet in Cleveland, Ohio at a later date.

23. On or about February 5, 2022, the UC and RODRIGUEZ HILARIO spoke. RODRIGUEZ HILARIO indicated he was having trouble getting RPGs, but could get AR-15s. On or about February 8, 2022, RODRIGUEZ HILARIO agreed to acquire ten AR-15s for sale to the UC and that they would meet directly with RODRIGUEZ HILARIO’s supplier to do so. RODRIGUEZ HILARIO communicated that the UC would not have to fill out any paperwork; all he would need is purchase money.

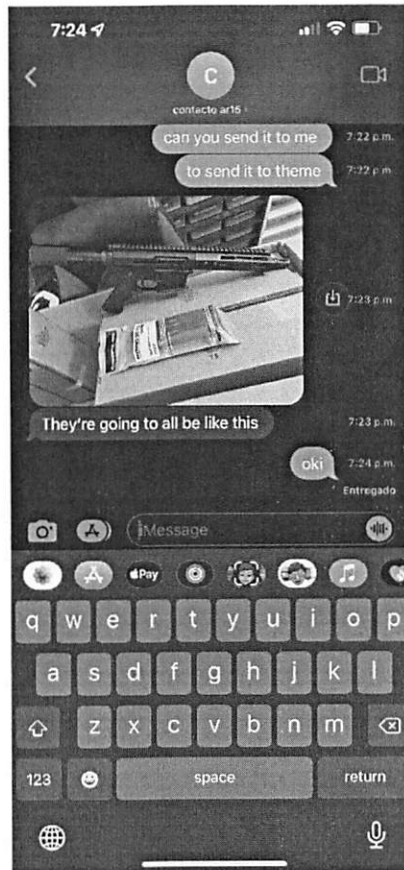
24. Later that day, RODRIGUEZ HILARIO sent to the UC a screenshot of a text message exchange with his purported firearm supplier. In the exchange, shown below, the purported supplier said he had ten AR pistols “left right now.” The negotiated price for the AR pistols would be \$1,400 per firearm. RODRIGUEZ HILARIO then sent the UC a photograph of one of the AR-15 pistols for sale. The pertinent screenshots and photographs are below.



Images 6-8: Screenshot of text messages and photo

25. The UC and RODRIGUEZ HILARIO maintained contact and eventually planned for the UC to purchase the ten rifles in Cleveland, Ohio directly

from the firearms source on March 10, 2022. The two further negotiated the purchase of additional firearms. On or about March 7, 2022, RODRIGUEZ HILARIO sent the UC a photo of one of the guns with the comment, “They’re going to all be like this,” depicted below:



Undercover Purchase of Firearms on March 10, 2022

26. On or about March 10, 2022, the UC and RODRIGUEZ HILARIO communicated to arrange the time and location of the additional purchase of firearms. Before going to meet with the supplier, RODRIGUEZ HILARIO directed the UC, who was accompanied by UC3, to meet him first at his residence (Location

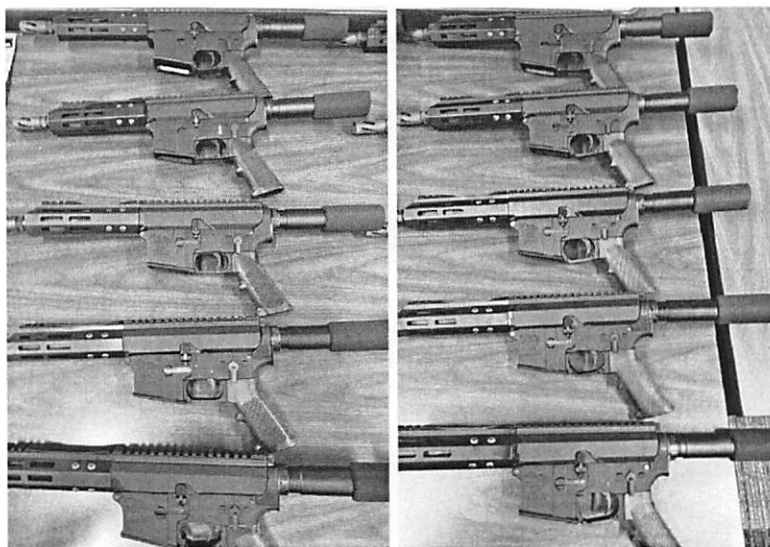
1). During this meeting, RODRIGUEZ HILARIO (at approximately 3:56 PM) placed a call to the source of supply from with the speakerphone function activated. A man answered the phone and advised he would arrive at the meeting location in approximately five minutes.

27. The UCs and RODRIGUEZ HILARIO drove to the meeting location in the UCs' vehicle. They arrived at an address ("Location 2") in Cleveland, Ohio and met with Saleh Yusuf SALEH. There, SALEH provided the UCs with ten (10) AR-pistol type firearms. The firearms were in two boxes (each of which contained five firearms and five magazines) in the rear hatch area of the vehicle occupied by SALEH, who informed the UCs that all of the firearms were brand new, all legitimate, and would never be reported stolen. The UC told SALEH that "his people" would scratch off all serial numbers and the firearms would be going straight to Mexico. SALEH promised thirty more firearms for the UCs at a later date. The UCs explained to SALEH that their customers were in Mexico and ten firearms was a small purchase for them.

28. Based on my training, experience, and knowledge of the investigation, I believe that when the UC referenced "his people" to SALEH, he was referencing Mexican drug cartel members who would obliterate serial numbers to conceal where they came from.

29. Agents followed SALEH's vehicle after the meeting to a residence in Cleveland ("Location 3"). Law enforcement databases revealed this address as SALEH's address of record.

30. Following the purchase, the UCs departed the area with RODRIGUEZ HILARIO. While inside the UCs' vehicle, the UCs told Yuendry RODRIGUEZ HILARIO that the firearms that had been purchased that day were going to Mexico. Photographs of the firearms purchased from SALEH are depicted below.



Images 10-11: Firearms from March 10, 2022 controlled purchase.

Undercover Purchase of Firearms (one fully-automatic) and Silencer from SALEH and Yuendry RODRIGUEZ HILARIO

31. On or about April 27, 2022, the UC contacted RODRIGUEZ HILARIO about the availability of fully automatic firearms and/or Glock switches. On or about April 29, 2022, RODRIGUEZ HILARIO sent the UC a photograph of what appeared to be an Uzi with a silencer or suppressor attached. In that same conversation, RODRIGUEZ HILARIO asked if the UC could assist in "crossing people from Mexico into the United States."

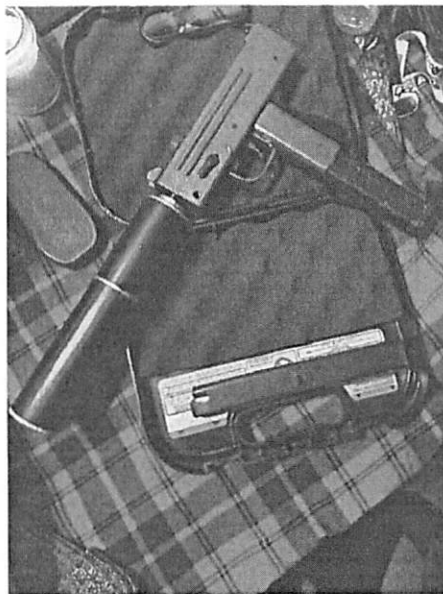


Image 12: Mac-10 with silencer

32. From May 6, 2022, to May 13, 2022, the UC and RODRIGUEZ HILARIO maintained contact. During these contacts, a purchase of thirty AR-15 style pistols and one Mac-10 with a suppressor attached was arranged for May 26, 2022, in Cleveland, Ohio. During negotiations, Yuendry RODRIGUEZ HILARIO advised that the firearm photo sent on April 29, 2022, was a Mac-10-type firearm and was “automatic with a silencer.” On or about May 12, 2022, RODRIGUEZ HILARIO sent the UC a video purporting to show the Mac-10-type firearm was fully automatic. A still shot photograph taken from the video is depicted below.



Image 13: Suspected Uzi with silencer/ suppressor attached.

33. On or about May 26, 2022, the UC and UC2 met with RODRIGUEZ HILARIO and SALEH in Cleveland, Ohio. There, SALEH opened the rear hatch of his vehicle to reveal three boxes (each containing ten AR-15-style pistols). SALEH opened the boxes and stated, "I build them all." UC2 transferred the boxes to the UC vehicle. SALEH then retrieved another box containing a silencer wrapped in a white fabric cloth. The box also contained a Glock gun case, which SALEH opened and showed the UCs that it contained a MAC 11 submachine gun. As UC2 then began to examine the MAC 11 and conduct a full auto-function test, SALEH stated that it fired in "four round bursts" with each pull of the trigger. SALEH and RODRIGUEZ HILARIO confirmed that the selector switch on the MAC 11 moved to both the "semi" and "auto" positions. UC2 told RODRIGUEZ HILARIO and SALEH that the UC's people will scratch off the serial numbers of the firearms so they would not track back to anyone.

34. The UC explained to RODRIGUEZ HILARIO and SALEH that fifteen of the firearms were going to South Florida and fifteen of the firearms were going to the border to be transported into Mexico. UC2 provided \$28,500 in operational funds to SALEH for the purchase of the thirty AR-15-style pistols, the MAC 11 submachine gun, and the suppressor. While UC2 was talking to SALEH, SALEH advised he was thinking about making ghost guns next (guns with no serial numbers on them). Photographs of the firearms purchased on May 26, 2022, are depicted below:



Images 14 and 15: Firearms purchased on May 26, 2022.

Discussions of the Sale of Fentanyl: July 2022

35. Between July 24 and 26, 2022, RODRIGUEZ HILARIO told the UC he had acquired the “powder to make synthetic opioid fentanyl pills” brought

“directly from China” and that it was “100% original.” The below photo, complete with the embedded Spanish in the photo, is shown below:



Image 16: Photo of suspected fentanyl sent by RODRIGUEZ HILARIO.

36. On or about July 27, 2022, the UC and UC3 (acting as the UC's boss) placed a call to RODRIGUEZ HILARIO. UC3 told RODRIGUEZ HILARIO that he heard Yuendry RODRIGUEZ HILARIO had "F" for sale. Yuendry RODRIGUEZ HILARIO confirmed, stated it was from China, and agreed to provide a price for a half-kilogram at the request of UC3. They also discussed the future purchase of ten to twenty AR pistols to take place in Tampa, Florida. Shortly after, RODRIGUEZ HILARIO sent the UC a picture of a screenshot of an iMessage communication purported to be with SALEH. In the exchange, depicted below, SALEH is purported to say that he does not have automatic AR-15s, but could acquire them with a particular trigger that renders them close to automatic. RODRIGUEZ HILARIO asked the SOS if he had "ar15 automatic", to which the SOS stated that he did not but could possibly acquire firearms with a binary trigger

for the UCs. RODRIGUEZ HILARIO provided a price of \$2,500 per firearm. The photograph of the screenshot is depicted below.

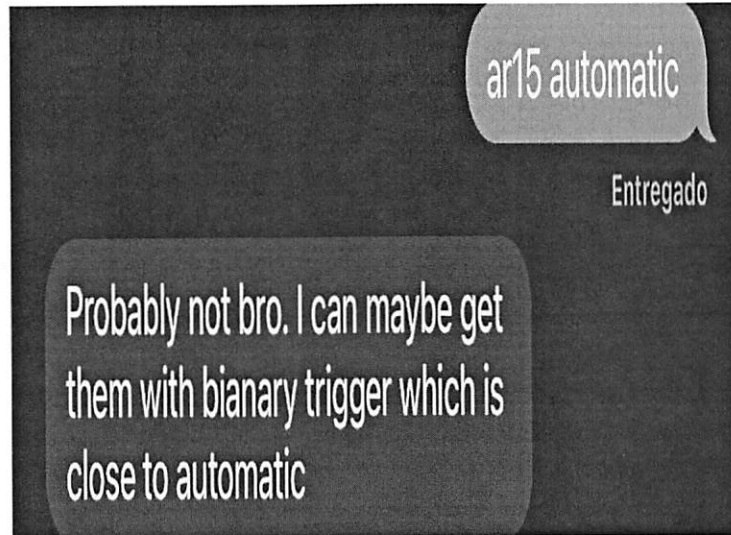


Image 17: Screenshot believed to be between SALEH and RODRIGUEZ HILARIO.

Continued Negotiations for Firearms Purchases

37. On or about August 22, 2022, the UC contacted RODRIGUEZ HILARIO by text message regarding the purchase of fentanyl. RODRIGUEZ HILARIO responded that he did not currently have the “F” but could acquire additional AR-15 rifles for the UC. RODRIGUEZ HILARIO told the UC he would make a call to determine when he would have both fentanyl and firearms available for the UC to purchase. On or about September 9, 2022, RODRIGUEZ HILARIO told the UC he was unable to acquire the fentanyl and again stated he that he could acquire firearms for the UC.

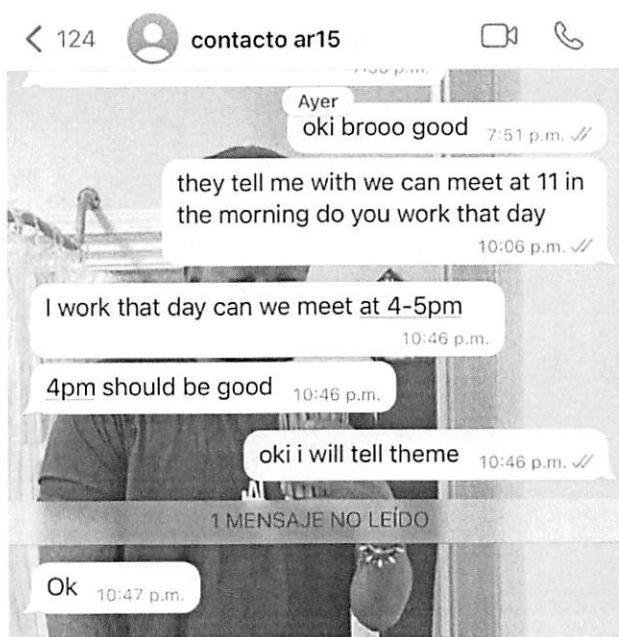
38. On or about November 3, 2022, RODRIGUEZ HILARIO and the UC continued to engage in text message communications. RODRIGUEZ HILARIO

asked the UC when he needed additional firearms. The UC responded that his “cartel associates” in Mexico were “battling and losing” and that he needed more firearms to send to them. The UC told RODRIGUEZ HILARIO he needed at least thirty firearms. RODRIGUEZ HILARIO said he would contact the source of supply. On that same date, RODRIGUEZ HILARIO told the UC that his source of supply (believed to be SALEH) notified him that the price per firearm had increased from \$1,200 to \$1,350, and that the price included \$50 direct profit per firearm for the source of supply. On or about November 15, 2022, RODRIGUEZ HILARIO told the UC that he and the source of supply were putting the firearms order together. On or about November 27, 2022, RODRIGUEZ HILARIO communicated to the UC that they had “everything ready.” RODRIGUEZ HILARIO sent the UC a screenshot of his purported communications with the source of supply. During these communications the source of supply is attempting to confirm that the UC is going to purchase the firearms because he (the source) had spent “a ton of money.”



**Seizure of Forty AM-15 Firearms and Arrests of
RODRIGUEZ HILARIO and SALEH**

39. Over the course of several communications in December 2022 and January 2023, the UC and RODRIGUEZ HILARIO agreed that the UC would purchase forty firearms for a purchase price of \$1,250 each in Cleveland on March 2, 2023. RODRIGUEZ HILARIO sent the UC a screenshot of his purported communications with the source of supply while arranging the meet time. This screenshot displayed a contact name of “contacto ar15.”



40. On March 2, 2023, during contacts between the UC and RODRIGUEZ HILARIO, the UC and RODRIGUEZ HILARIO agreed to meet at the same shopping center (Steelyard Commons) as they had met at in the past to conduct the transaction. During one contact, RODRIGUEZ HILARIO instructed the UC to separate \$35,000 from the total buy money amount to provide to the source of supply.

41. On the morning of March 2, 2023, ATF established surveillance at SALEH's residence. At approximately 10:15 AM, the surveillance unit observed SALEH walking from the front area of his residence carrying a large rectangular shaped cardboard box. SALEH opened the hatch of a green Subaru vehicle parked directly in front of his residence on the street and loaded the box into the rear hatch area of the vehicle. SALEH walked back toward the residence and shortly thereafter, emerged with another similarly shaped box and loaded it into the rear hatch of the

vehicle. SALEH repeated this process two additional times. Shortly thereafter, the rear hatch of the vehicle was observed closed. Approximately thirty minutes later, SALEH entered the driver side of the vehicle and departed his residence traveling in the direction of the meet location. Surveillance units followed SALEH's vehicle and observed SALEH's vehicle as it arrived in the area of Steelyard Commons. SALEH was observed driving around the shopping plaza for a few minutes before pulling into a parking space in the area of the Five Guys Restaurant located at 3273 Steelyard Dr., Cleveland, Ohio.

42. On this same date, at approximately 11:00 AM, the UC was directed to the above location by RODRIGUEZ HILARIO. The UC observed SALEH's vehicle parked in the lot. The UC observed RODRIGUEZ HILARIO at the location in a silver Mazda 6. The UC made contact with SALEH and RODRIGUEZ HILARIO. SALEH opened the hatch of his vehicle and he and RODRIGUEZ HILARIO began removing large rectangular shaped cardboard boxes from SALEH's vehicle and placing them into the rear compartment of the UC vehicle. SALEH commented to the UC that there were four boxes and that each box contained ten firearms. SALEH told the UC he could view the contents of the boxes to make sure the firearms were all there and opened one of the boxes to show the UC the firearms contained inside. SALEH provided the UC with a small backpack and directed the UC to place the money in the backpack. ATF units then converged upon the meet and detained SALEH and RODRIGUEZ HILARIO. Review of the contents of the boxes revealed forty Anderson Manufacturing, multi-caliber AM-15 firearms.

Post-Miranda Interviews of RODRIGUEZ HILARIO and SALEH

43. Following their arrests, both RODRIGUEZ HILARIO and SALEH agreed to make statements to law enforcement. During the interview of RODRIGUEZ HILARIO, he admitted to meeting SALEH on “Arms List,” an online market for buying, selling, and trading firearms. RODRIGUEZ HILARIO admitted to acting as a “middle-man” for deals between SALEH and the UC. RODRIGUEZ HILARIO further admitted to knowing that the firearms deals he was conducting with SALEH were illegal and that he believed the UC was associated with a Mexican drug cartel.

44. During the interview of SALEH, he admitted to meeting RODRIGUEZ HILARIO approximately a year ago on Arms List and sold RODRIGUEZ HILARIO between five and ten firearms. RODRIGUEZ HILARIO informed SALEH that he knew someone (the UC) looking to buy large quantities of firearms. SALEH admitted to selling firearms to the UC on three separate occasions, described as follows:

- a. Approximately ten firearms during the first deal;
- b. Approximately thirty firearms and a fully automatic Mac-11 during the second deal; and
- c. The forty firearms intended for sale to the UC on March 2, 2023.

SALEH built each firearm intended for sale to the UC by purchasing stripped lower receivers, lower receiver parts kits, and upper receivers at a total cost of

approximately \$300 per firearm. He then sold each firearm for between \$600 and \$900.

CONCLUSION

45. In total, approximately 90 firearms, including at least one automatic weapon, have been purchased and/or seized in the Middle District of Florida. Based on the foregoing I submit there is probable cause to believe that RODRIGUEZ HILARIO and SALEH committed the offenses of 18 U.S.C. §§ 371 (conspiracy), 922(a)(1)(A) (unlicensed firearms dealer), 922(a)(5) (illegal transfer of firearms), 924(c) (possession of firearm in furtherance of drug trafficking); 924(h) (transfer of firearm to commit a felony and/or drug trafficking crime), 924(o) (conspiracy); and 26 U.S.C. §§ 5861(d), (e), within the Middle District of Florida and elsewhere.

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Brett McKean
Special Agent, ATF

Subscribed and sworn to me telephonically in accordance with Fed. R. Crim. P. 4.1
this 3rd day of March, 2023.



SEAN P. FLYNN
United States Magistrate Judge